

Supply for armed Vessels.

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Acts and Laws

Passed by the Great and General Court or Assembly of His Majesty's Province of the *Massachusetts-Bay* in *New-England*: Begun and Held at *Boston*, upon Wednesday the twenty-sixth Day of May 1756. And continued by Prorogations and Adjournment, to the fifth Day of *October* following, and then met.

C H A P. X.

An Act for providing and maintaining two armed Vessels to Guard the Coast, and for supplying the Treasury with *Seven Thousand Pounds* for that End.

WHEREAS it appears necessary for his Majesty's Service, and for the Preservation and Defence of the Trade and Fishery of this Province, that two armed Vessels be provided for that Purpose, and in order thereto that the Treasury be supplied with the Sum of Seven Thousand Pounds, which it appears most just and equal (considering the heavy Burthen of the publick Taxes) should be laid on the Trade and Fishery: Preamble.

Wherefore, Be it enacted by the Lieutenant Governour, Council and House of Representatives, That from and after the first Day of *November* next, during the Continuance of the present War with *France*, and until the first Day of *November* then next following, there be and hereby is granted unto his most excellent Majesty, a Duty of *Six Pence* per Ton on all Ships and other Vessels (excepting common Coasters, Whaling and Fishing Vessels) entering in to any Port or Harbour within this Province, other than such as shall clear out of some other Port or Harbour within the same; and on all Coasters trading from Harbour to Harbour within this Province, and Whaling and Fishing Vessels, the like Sum of *Six Pence* per Ton a Year: And also a Duty or Excise of *Six Pence* per Pound upon Tea, and *Two Pence* per Pound upon Coffee, and *Five per Cent.* upon China Ware *ad Valorem*; the Income of which shall be applied to the providing and maintaining

Duty of *six Pence* per Ton on all Ships and other Vessels, except Coasters, &c. from Nov. 1st 1756. during the Continuance of the present War with *France*; also a Duty on Tea, &c. for building two armed Vessels.

[T r t]

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taining of two armed Vessels, ordered by this Court to be provided and equipped, for the guarding the Coast of this Province against his Majesty's Enemies.

And to render this Act effectual :

Manner of measuring Vessels.

Commissioner of Impost to receive Duty required by this Act, &c.

Naval Officer directed.

Penalty in Case of refusal to pay the Duties by this Act required.

Select-men or Assessors to tax Whaling, Fishing or Coasting Vessels.

Manner of collecting the same.

Proviso.

No Person to sell Tea, China Ware or Coffee without Licence.

Licensed Persons to give Bond.

Be it further enacted, That the Tonnage of all Vessels, except Whaling, Fishing and Coasting Vessels, shall be measured and taken in Manner as is directed in the Act for building the Light-House, passed in the first Year of King George the first, Chapter the sixth ; and the Commissioner of Impost or his Deputy, is hereby directed and impowered before he enters any Ship or Vessel, that is by Law required to enter, to demand and receive the Duty by this Act intended to be paid, and shall certify the same to the Naval Officer ; and the Naval Officer is hereby strictly forbidden to clear out any Ship or other Vessel until the Master or Owner of such Ship or Vessel shall produce a Certificate that he has paid the Duty by this Act designed to be paid, and in Case the Master of any Ship or Vessel refuse to enter at the Custom House Office as by Law obliged, or to pay the Duty by this Act provided, any such delinquent or refusing Master, over and above the Penalty by Law already provided, shall be liable to the Action or Actions of the Impost Officer for the Time being, for the Recovery of the Duty by this Act imposed, in any of his Majesty's Courts of Record, or before any Justice of the Peace as the Nature of the Case shall require, to prosecute which Action or Actions the said Impost Officer or Officers are hereby respectively impowered.

Be it further enacted, That the Select-Men or Assessors of every Town within this Province where any Whaling, Fishing or Coasting Vessels may belong, are hereby impowered and directed to assess and tax the Vessels aforesaid according to the Direction of this Act herein before expressed, the Measure of the Vessel in Case of Doubt, to be taken at the Cost of the respective Owners or Masters by the said Assessors, unless the Account of their Measure first given in be just and true, in which Case the Charge to be born by the respective Towns ; and the said Assessment and Tax when made, to commit to the Constable or Collectors of their Towns respectively, who are hereby impowered and obliged to collect the same of the Master or other Person having the principal Care thereof, and pay it into the Province Treasury ; and the said Assessors are further required and directed to transmit to the Province Treasurer Yearly a List of every Vessel by them, according to the Tenor of this Act assessed and taxed, together with the Certificate of the Name or Names of the Constable or Collectors to whom the said Assessment shall have been by them committed to collect, and the Province Treasurer is hereby impowered and directed to issue out his Warrants for the Recovery of the said Duty or Tax assessed as aforesaid, on any Whaling, Coasting and Fishing Vessels against any delinquent Constables or Collectors, as is by Law in other Cases made and provided.

Provided nevertheless, This Act shall not be construed to exempt any Vessels aforesaid from being taxed as Vessels heretofore.

And be it further enacted, That no Person or Persons whatsoever from and after the first Day of November next, other than such as shall obtain Licences from the Justices in General Sessions to sell Tea, China Ware and Coffee, unless as is herein after provided, shall directly or indirectly either by themselves or any under them presume to sell the same ; and every Person shall before such Licence be granted give Bond with sufficient Sureties for his, her or their well and truly paying the Duties laid on those Articles, he she or they shall be licenced to sell, and that he she or they will use his her or their Licence in such House or Houses as shall be therein named, and no other,

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other, and that he she or they will render to the Farmer or his Deputy on Oath, which he is hereby impowered and directed to administer to the Person exhibiting such Account, a just and true Account of all the aforesaid Commodities by him, her or them taken in for Sale, sold used or consumed from Time to Time, and pay unto the Farmer or his Deputy at the End of every half Year, the Sum or Sums of Excise that may arise pursuant to this Law.

Provided nevertheless, It shall and may be lawful for any Person whether licenced or not, to dispose of any Tea, Coffee or China Ware in any Quantity whatsoever, to any Person licenced to sell the same, he or she complying with the Terms of this Act relating to a Certificate. Proviso.

Provided always, and it is the true Intent and Meaning of this Act, that if any Person licenced to sell any of the aforesaid Commodities, shall sell to any other such licenced Person any Quantity of the Commodities aforesaid, such licenced Person selling as aforesaid shall not be held to pay such Duty, but the licenced Person who is the Purchaser shall pay the same, and the Seller aforesaid shall and is hereby required to deliver to the Farmer of this Duty a true Account of such Commodities sold as aforesaid. Proviso.

And be it further enacted, That the said Licence be renewed Yearly, and Bond given as aforesaid, and that the said Licences be renewed to no Person whatsoever, unless he or she before their receiving the same produce a Certificate under the Hand of the Farmer or his Deputy of his or her having paid the full of the Excise due from them respectively as aforesaid. Licences to be renewed yearly.

And be it further enacted, That if any Person or Persons not licenced as aforesaid, unless as is herein provided, shall from and after the first Day of November next, presume directly or indirectly by themselves or any under them to sell any Tea, China Ware or Coffee by any Quantity, Weight, Number or Measure, he she or they shall for every such Offence on due Conviction forfeit and pay the Sum of *Four Pounds*, one Half to the Informer, and the other Half to the Farmer, the Manner of Conviction to be the same as of Persons selling strong Liquors without Licence, as is by Law already provided; and every Person licenced as aforesaid who shall presume to sell any of the before mentioned Commodities, and shall refuse or neglect to account with the Farmer, and pay the Duties required by this Act, or shall give a false Account, shall be subject for each Offence to the Penalty of *Fifty Pounds*, and shall be rendered incapable of renewing his, her or their Licence, to sell the same for the future, the Penalty to be recovered shall be to the Farmer, and the Manner of Conviction shall be the same as of Persons selling strong Drink without Licence, unless he, she or they who have thus rendered a false Account, shall within twenty Days after such Account given to the Farmer, *bonâ fide*, swear that there was an involuntary Mistake made in such Account, and within that Time rectify the same. Fine for selling without Licence.

Provided nevertheless, That Nothing in this Act shall be construed to extend to any Quantity of any of the Commodities aforesaid, which shall be sold for Consumption out of this Province to any Person not belonging thereto, and the Person selling shall produce a Certificate from the Purchaser under Oath, that he *bonâ fide* purchased the same with Intent to carry it out of this Government, and there to be consumed; and in Case any Person shall produce a false Certificate, and be thereof convicted, he she or they shall forfeit and pay to and for the Use of the Farmer the Sum of *Six Pounds*, to be recovered in any of his Majesty's Courts proper to try the same. Proviso.

And to the End the Revenue arising from the aforesaid Duties of Excise may be advanced for the greater Benefit and Advantage of the Publick:

Be

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Duty on Tea,
&c. to be
farmed.

Be it further enacted, That one or more Persons, to be nominated and appointed annually during the Continuance of this Act by the General Court for and within the several Counties within this Province (publick Notice being first given of the Time, Place and Occasion of their Meeting) shall have full Power and are hereby authorized from Time to Time to contract and agree with any Person for or concerning the farming the Duties in this Act mentioned on Tea, Coffee and China Ware, in the respective Counties for which they shall be appointed, as may be for the greatest Profit and Advantage of the Publick.

Farmer to
give Bond.

And be it further enacted, That the Farmer shall give Bond (with two sufficient Sureties) to the Province Treasurer for the Time being, and his Successors in said Office, in double the Sum of Money that shall be contracted for, with Condition that the Sum agreed to, be paid into the Province Treasury for the Use of the Province at the Expiration of one Year from the Date of such Bond, which Bond the Person or Persons to be appointed a Committee of such County are to take, and the same to lodge with the Treasurer as aforesaid within twenty Days after such Bond is executed, and the said Treasurer upon Failure or Neglect of Payment at the Time therein limited, shall and is hereby impowered and directed to issue out his Execution (returnable in sixty Days) against such Farmers of Excise and their Sureties or either of them for the full Sum expressed in the Condition of their Bonds, as they shall respectively become due, in the same Manner as he is enabled by Law to issue out his Executions against defective Constables, and the said Committee shall render an Account of their Proceedings touching the farming this Duty on China Ware, Tea and Coffee aforementioned in their respective Counties to the General Court in the Fall Sessions, and shall receive such Sum or Sums of Money for their Trouble and Expence in said Affair as said Court shall think fit to allow them; and every Person farming the Excise in any County may substitute and appoint one or more Deputy or Deputies under him to collect and receive the Excise aforesaid, which shall become due in such County, and pay the same to such Farmer; which Deputy or Deputies shall have, use, and exercise all such Powers and Authorities as in and by this Act are given or committed to the Farmers, for the better collecting the Duties aforesaid, or prosecuting the Offenders against this Act.

Treasurer to
sue out the
Bond in Case.

Farmers may
appoint Deputies.

Executors or
Administrators
of deceased
Farmers to
have their
Power, &c.

And be it further enacted, That in Case of the Death of either of the Farmers of Excise in any Counties, the Executors or Administrators of such Farmers shall upon taking such Trust of Executor or Administrator upon them, have and enjoy all the Powers, and be subject to all the Duties the Farmer had or might enjoy or was subject to by Force of this Act.

Court of
Sessions to
give Licence.

And be it further enacted, That the Justices in the several Counties be and they hereby are impowered at their several Sessions during the Continuance of this Act to grant Licences for selling and retailing any of the aforesaid Articles to all such fit and proper Persons as shall apply to them for the same; and all Persons desiring Licences are hereby directed to apply to the Justices in Sessions for said Licence accordingly, they taking Bonds with sufficient Sureties to secure the full Value of the Excise on China Ware, Tea, and Coffee, which it is probable may be sold by the Persons petitioning for such Licence, and the Person receiving such Licence shall pay no other or greater Fee than *two Shillings* in the whole (*One Shilling* to the Court, and *One Shilling* to the Clerk) for his or her Licence and Bond aforesaid.

Or two Justices
in Case.

And be it further enacted, That in such Counties where the Courts of General Sessions shall not sit in thirty Days after the said first Day of *November* next, it shall be in the Power of two of his Majesty's Justices of the Peace in

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in such County (*Quorum Unus*) to grant Licences for selling the Commodities aforesaid to all such Persons as shall apply for the same, upon giving the Security by this Act required; and the Justices granting such Licence, and returning a Certificate thereof under their Hands to the next Court of General Sessions of the Peace, shall be adjudged sufficient to entitle the Person so Licenced to sell said Commodities from the Date of such Certificate until the Expiration of one Year from the Return thereof as aforesaid.

And to the End that this Government may know what Monies shall be received by the Farmer of each respective County and his Deputies by Virtue of this Act:

Be it enacted, That to every Person licenced by the Sessions as aforesaid, the said Farmer or his Deputy (when said Persons shall account with them) shall give two Receipts under their Hand for what each of them have respectively received either as Duty or as Forfeiture, or in any other Way; and the said Receipts shall express the true and just Sum received, and the Consideration for which it was received; and one of said Receipts shall be lodged within one Month after the Date thereof by each Person respectively to whom said Receipt shall be given, with the Clerk of the Sessions for the County wherein such Person lives, on Penalty of *Forty Shillings*, and of being rendered incapable of renewing his or her Licence for the future: And the Clerk aforesaid shall transmit a fair and true Copy of the Receipts that shall be so lodged with him, to the Secretary of this Province, who shall lay the same before this Court.

Farmer to give two Receipts for what Sums he receives.

And be it further enacted, That the Farmer of each respective County shall render an Account on Oath to the Province Treasurer (when he shall come to discharge his Bond given for the Farm of the Duties aforesaid) of the Sums and Securities he or his Deputy or either of them have in any way received by Virtue of this Act; and the said Account shall express the Name of each Person of whom they or either of them have received any Sum or Security, how much that Sum or Security is for, and the Time when the same were received: And it shall be Part of the Condition of the said Farmer's said Bond that he will render such Account taken upon Oath as aforesaid: And if said Farmer shall not have settled (when he comes to discharge the said Bond) with every Person obliged by this Act to account and settle with him, his said Bond shall not be discharged till he has so settled, and rendered an Account of such Settlement to the Province Treasurer as aforesaid.

Farmer to render an Account on Oath to the Treasurer of what Monies or Securities he or his Deputies shall receive.

Provided nevertheless, That if said Farmer shall at the End of one Month, and of ten Months respectively from the Time of Payment expressed in said Bond, render an Account on Oath as aforesaid, and shall Swear that such Account expresses the whole Sum that he hath received, either in Money or by Securities, or by any other way whatsoever, then his Bond shall be discharged and delivered up to him.

Proviso.

Be it further enacted, That if any Account of Excise shall remain unpaid and not settled by Bond or Note for the Space of ten Months after the Expiration of this Act, unless the Action is depending, the said Farmer or his Deputy shall not have Right to bring any Action against the Person whose said Account shall remain so unpaid or unsettled, but shall forfeit what might otherwise have been due from such Person.

Farmer shall have no Right to bring an Action after ten Months except.

Be it further enacted, That all Fines, Penalties and Forfeitures arising and accruing by any Breach of this Act and not otherwise appropriated, shall be one Half to his Majesty for the Use of this Province, and the other Half for the Use of the Farmer, to be recovered by Action, Bill, Plaint or Information, in any of his Majesty's Courts of Record.

How Fines are to be disposed of.

[V v v]

And

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And whereas it will be necessary that Money should be advanced for the purchasing the Vessels aforesaid before that a Sufficiency will be brought into the Treasury pursuant to this Act : Therefore,

Treasurer im-
powered to
borrow £. 7,
000.

Be it enacted by the Lieutenant Governour, Council and House of Representatives, That the Treasurer of the Province be and hereby is impowered and directed to borrow from such Person or Persons as will be willing to lend the same, the said Sum of *Seven Thousand Pounds* in mill'd Dollars at *Six Shillings* each, or in other Silver at *Six Shillings and eight Pence* per Ounce, for a Term not exceeding two Years; and the Sum so borrowed shall be applied for purchasing the Vessels aforesaid; and for every Sum so borrowed, the Treasurer shall give a Receipt and Obligation in Form following :

Form of Treas-
urer's Re-
ceipt.

Province of the *Massachusetts-Bay.*

Received of *the Sum of* *17* *for the*
Use and Service of the Province of the Massachusetts-Bay; and in
Behalf of said Province I do hereby promise and oblige my self and
Successors in the Office of Treasurer, to repay the said
or Order, the *Day of* *17* *the aforesaid*
Sum of *in Coined Silver of Sterling Alloy at Six*
Shillings and eight Pence per Ounce, or Spanish mill'd Dollars at Six
Shillings each, with Interest annually, at the Rate of six per Cent.
per Annum. Witness my Hand,

And no Receipt shall be given for a Sum less than *Six Pounds.*

Proviso in
Case of De-
ficiency.

And be it further enacted, That if the Sums that shall be brought into the Treasury by Virtue of this Act during the two Years as aforesaid, be not sufficient to pay the *Seven Thousand Pounds* aforesaid, and what Interest shall become due for the same, the Deficiency shall be made good by a Tax upon all the Polls and Estates of the People in the Province, according to such Rules and in such Proportion as shall be agreed on by the General Court the next Sessions after the said two Years shall determine.

Rule for ap-
portioning
the Tax in
Case no Tax
Act shall be
agreed on.

And be it further enacted, That in Case the General Court shall not at their Sessions in *May* and before the twentieth Day of *June* One Thousand seven Hundred and fifty nine, agree and conclude upon an Act apportioning the Sum which by this Act is engaged to be in said Year apportioned assessed and levied, that then and in such Case each Town and District within this Province, shall pay a Tax to be levied upon the Polls and Estates both Real and Personal within their Districts, the same Proportion of the same Sum as the said Towns and Districts were taxed by the General Court in the Tax Act then last preceeding (saving what relates to the Pay of Representatives, which shall be assessed on the several Towns they represent) and the Province Treasurer is hereby fully impowered and directed some Time in the Month of *June* One Thousand seven Hundred and fifty nine, to issue and send forth his Warrants directed to the Select-Men or Assessors of each Town and District within this Province, requiring them to assess the Polls and Estates both Real and Personal within their several Towns and Districts for their respective Part and Proportion of the Sum before directed and engaged to be assessed, and also for the Fines upon the several Towns for not sending a Representative : And the Assessors as also Persons assessed shall observe, be governed by, and subject to all such Rules and Directions as have been given in the last preceeding Tax Act.

Petit Jurors.

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C H A P. XI.

An Act for the better regulating the Choice of Petit Jurors.

WHEREAS it enacted by the Lieutenant Governour Council and House of Representatives, That the Select-Men of each Town within this Province, shall within their respective Towns sometime before the first of December next, take a List of the Persons liable by Law, and which they shall judge able and well qualified, to serve on the Petit-Juries, and lay the same before the Town at a Meeting to be immediately called for that Purpose, and the Towns shall respectively at such Meeting select out of the List such as they judge most suitable to serve as Jurors, and put their Names written on separate Pieces of Paper into a Box to be provided by the Select-Men for that Purpose, and deliver the same to the Town-Clerk, to be by him kept under Lock and Key.

And be it further enacted, That when at any Time after the first of December next during the Continuance of this Act, any *Vinere Facias* shall issue forth for the Choice of Petit Jurors, and the Inhabitants of each Town shall be assembled for that Purpose, the Town Clerk, or one or more of the Select-Men in Case of his Absence or Sicknes, shall carry into the Meeting the Box wherein the Names of those Persons are put who are designed to serve at the Court from whence the *Venire Facias* issued, which shall be unlock'd in the Meeting, and the major Part of the Select-Men (who are hereby enjoined to be present) and the Constable who shall warn said Meeting shall particularly notify them and the Town Clerk for that Purpose; and the Town Clerk, or in his Absence, one or more of the Select-Men, shall draw out so many Tickets as there are Jurors required by the *Venire*, who shall be the Persons that shall be returned to serve as Jurors; saving, that if any whose Names are so drawn are sick or otherwise unable to serve at that Time in the Judgment of the Town, their Names shall be returned into the Box and others drawn in their Stead: And to the Intent the same Persons may not serve too often, the Clerk or Select-Men who shall draw the Ticket or Name of any Person returned to serve as aforesaid, shall enter on the Back thereof the Date of such Draft, and return the same into the Box again, and said Person or Persons shall not be obliged (altho' drawn at any Time) to serve as Jurors oftner than once in three Years, and no Person who has served as a Petit Juror within two Years past shall be obliged to serve again until three Years be compleated from the Time of his last serving, notwithstanding his Name's being drawn as aforesaid: And the Select-Men shall in the same Manner once in every Year during the Continuance of this Act, take a new List of such other Persons as may become suitable and qualified, and lay the same before the Town, whose Names being first by them allowed, shall be put into a Box in Manner as aforesaid; and as well that all may do Duty, as that the Deficiency that may have happened by Death or otherwise may be supplied at such Time, the Town may if they think fit, make a new Regulation of the List before received.

And whereas it often happens that the Persons returned to serve as Petit Jurors abscond, and the respective Constables are put to great Difficulty, and frequently prevented from notifying them:

Be it further enacted, That from and after the first of December next, and during the Continuance of this Act, the Clerks of the respective Courts in this Province shall and hereby are obliged to issue out their *Venires* from their respective Offices thirty Days at least before the Return Day; and the respective Constables upon the Receipt of the said *Venires* are hereby obliged

Select-Men of each Town to take a List of Persons liable &c. to serve as Petit Jurors, and lay the same before their Towns.

Said List to be carried in to the Meeting call'd for that Purpose, and as many Names drawn out by the Town-Clerk or Select-men as there shall be Occasion for.

Persons to serve on Juries but once in three Years.

Preamble.

Rules for Notification and issuing *Venires*.

to

Penalty for
Persons not
attending as
Jurors.

to notify their Towns thereof, so that the several Meetings may be held six Days at least before the Sitting of the Court from whence the *Venire* issues, and the Constables are hereby directed in Case they cannot personally notify those who are so drawn, upon their leaving a Certificate of their being drawn as aforesaid, with the Time and Place of their respective Courts Sitting, at the usual Place of such Persons Abode, four Days before the Sitting thereof, it shall be deemed a sufficient Notification; and if any Person drawn and notified as aforesaid, shall neglect to attend and serve accordingly, unless reasonable Excuse be made to the Justices of the respective Courts, he shall be fined in a Sum not exceeding *Twenty Shillings*; and if such Jurors belong to the Town of *Boston*, they shall be fined in a Sum not exceeding *Ten Pounds*, to be divided between the Petit Jurors drawn as aforesaid serving at said Courts.

Method for
preventing
partial Jurors.

And be it further enacted, That the Justices of the respective Courts aforesaid are hereby directed upon Motion from either Party in any Cause that shall be tried after the first of *December* next, and during the Continuance of this Act, to put any Juror to Answer upon Oath (whether returned as aforesaid, or a Talis-man) Whether he doth expect to gain or loose by the Issue of the Cause then depending? Whether he is any way related to either Party, or directly or indirectly given his Opinion, or is sensible of any Prejudice in the Cause? And if it shall then appear to said Court that such Juror doth not stand indifferent in said Cause, he shall be set aside from the Trial of that Cause, and another appointed in his Stead.

Preamble.

And whereas it frequently happens that many of the Jurors so chosen to serve in the several Courts of Judicature within this Province fail of Attendance, and by Reason of Challenges made by Parties to several of said Jurors, the Number of returned Jurors are too few to serve at said Courts :
For Remedy whereof,

New *Venires*
to be issued
in Case.

Be it enacted, That from and after the first Day of *December* next, and during the Continuance of this Act, it shall and may be lawful for the Justices of the Courts aforesaid when Sitting, and as they shall judge there is Occasion, to cause new Writs of *Venire Facias*, to be forthwith issued out and directed to the Constables of the several Towns in the County in which said Court is held, for the Appointment and Return of so many good and lawful Men to serve upon the Jury at said Court as shall be directed in the Writ, which Jurors shall be forthwith appointed, and being notified and returned to the said Court, shall be and hereby are obliged to give their immediate Attendance accordingly, under the Penalty by this Act provided for Non-appearance of Jurors.

Jurors Fees.

And be it further enacted, That the Fees of the Petit-Jurors in the County of *Suffolk* at the Superiour Court, shall be *twelve Shillings and six Pence* for every Trial, the Foreman to have *eighteen Pence*, and the other Jurors *twelve Pence* each.

Limitation.

This Act to continue and be in Force until the first Day of *December*, which shall be in the Year of our Lord One Thousand seven Hundred and fifty-nine, and to the End of the Session of the General Court next after, and no longer.

Suppressing of Riots, &c.

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C H A P. XII.

An Act for preventing all Riotous, Tumultuous and Disorderly Assemblies or Companies of Persons, and for preventing Bonfires in any of the Streets or Lanes within any of the Towns of this Province.

WHEREAS many and great Disorders have of late Years been committed by tumultuous Companies of Men, Children and Negroes, carrying about with them Pageants or other Shews, through the Streets and Lanes of the Town of Boston, and other Towns within this Province, abusing and insulting the Inhabitants, and demanding and exacting Money by Menaces and abusive Language, and besides the horrid Profaneness, Impiety and other gross Immoralities usually found in such Companies, it has been found by Experience that such Practices tend greatly to encourage and cultivate a turbulent Temper and Spirit in many of the Inhabitants, and an Opposition to all Government and Order : Preamble.

Be it therefore enacted by the Lieutenant Governour, Council and House of Representatives, That if any Persons being more than three in Number, and being armed, all or any of them with Sticks, Clubs, or any Kind of Weapons, or disguised with Vizards (so called) or painted or discoloured Faces, or being in any other Manner disguised, shall assemble together, having any Kind of Imagery or Pageantry with them as a publick Shew in any of the Streets or Lanes in the Town of Boston, or any other Town within this Province, or if any Person or Persons being of or belonging to any Company having any Imagery or Pageantry for a publick Shew, shall by Menaces or otherwise exact, require, demand, or ask any Money, or any Thing of Value from any of the Inhabitants or other Persons in the Streets, Lanes or Houses of any Town within this Province, every Person being of or assembled with such Company, shall for each Offence forfeit and pay the Sum of *forty Shillings*, or suffer Imprisonment not exceeding one Month ; or if the Offender shall be a Negro Servant, in Lieu of the Imprisonment he may be whipped not exceeding ten Stripes, at the Discretion of the Justice before whom the Trial shall be. Persons disguised going about with Pageants and armed with any Weapons, exacting Money &c.

To be punished by Fine or Imprisonment.

Negroes, &c. may be punished by Whipping.

And be it further enacted, That if any Persons to the Number of three or more between Sun-setting and Sun-rising, being assembled together in any of the Streets or Lanes of any Town within this Province, shall have any Kind of Imagery or Pageantry for a publick Shew, altho' none of the Company so assembled shall be armed or disguised, or exact, demand or ask any Money or Thing of Value, every Person being of such Company shall forfeit and pay the Sum of *forty Shillings*, or suffer Imprisonment not exceeding one Month ; or if the Offender shall be a Negro Servant, in Lieu of the Imprisonment he may be whipped not exceeding ten Stripes, at the Discretion of the Justice before whom the Trial shall be. Persons carrying Pageants, &c. in the Night, tho' unarmed, to be punished.

And whereas Bonfires have been sometimes kindled in the Streets, Lanes and other Parts of several of the Towns in this Province, to the endangering the Lives and Estates of the Inhabitants :

Be it further enacted, That if any Person or Persons shall set Fire to any Pile, or any combustible Stuff, or be any ways concerned in causing or making a Bonfire in any Street or Lane, or any other Part of any Town within this Province, such Bonfire being within ten Perches of any House or Building, every Person so offending shall for each Offence forfeit the Sum of *forty Shillings*, Bonfires in Streets or Lanes forbidden.

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Shillings,

Exportation of Provisions.

Penalty.	<i>Shillings</i> , or suffer Imprisonment not exceeding one Month ; or if the Offender shall be a Negro Servant, in Lieu of the Imprisonment he may be whipped not exceeding ten Stripes, at the Discretion of the Justice before whom the Trial shall be.
Justices Power &c.	And for the better Execution of all and every the foregoing Orders, every Justice of the Peace within his County, shall have Power and Authority to convent before him any Person or Persons who shall offend in any of the Particulars before mentioned, and upon his own View, or other legal Conviction of any such Offence, to impose the Penalties and Fines aforesaid ; and all the Fines in this Act when recovered, shall be one half to the Informer, and the other half to and for the Use of the Poor of the Town where such Offence shall be committed : And all Masters are hereby made liable to the Payment of the several Fines as aforesaid, for the Offences of their Servants ; and all Parents for the Offences of their Children under Age, not being Servants.
Masters and Parents liable for their Servants and Children.	
Limitation.	This Act to continue and be in Force for the Space of five Years from the twentieth of <i>October</i> One Thousand seven Hundred and fifty-six, and no longer.

C H A P. XIII.

An Act for continuing "An Act for preventing the Exportation of Provisions and Warlike Stores out of this Province."

Preamble. **W**HEREAS the Act Intituled "An Act for preventing the Exportation of Provisions and Warlike Stores out of this Province," passed in the twenty-ninth Year of his present Majesty's Reign, is near expiring ; which said Act hath been found beneficial :

Continuance of the Act. **We** it therefore enacted by the Lieutenant Governour, Council and House of Representatives, That the before-mentioned Act, with all the Articles, Clauses and Matters therein contained, be and hereby is continued from the Time of the Expiration thereof, to the twentieth Day of *December* next, and no longer.

[The four foregoing Acts were Published October 19. 1756.]



B O S T O N : N. E.

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